

REMARKS

This is in response to the Office Action that was mailed on September 16, 2003. Claims 1 and 3 are cancelled, without prejudice to their reassertion in this or a continuing application, in order to facilitate prosecution. The dependencies of claims 4, 5, and 6 have been amended accordingly. New claim 7 is based upon disclosure in the paragraph bridging pages 3-4 of the specification. New claim 8 is based upon disclosure in the paragraph bridging pages 5-6 of the specification. No new matter is introduced by this Amendment. Claims 2 and 4-8 are in the application.

Claim 3 was rejected under the second paragraph of 35 U.S.C. §112 as failing to define the invention properly. This ground of rejection is obviated by the cancellation of claim 3.

Claims 1 and 4-6 were rejected under 35 U.S.C. §102(b) as being anticipated by US 3,915,912 (Ishicawa). The rejection is respectfully traversed. Ishicawa relates to polyamides, which are produced by polymerizing lactams, omega-aminocarboxylic acids, and salts of diamines and dicarboxylic acids. See the paragraph bridging columns 1-2 of the reference. The presently claimed invention relates to block copolymers, which contain amide blocks but

which also contain polyether blocks. Ishicawa fails to teach the presently claimed polyether amide block copolymers.

Claims 1 and 4-6 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ishicawa. The rejection is respectfully traversed. An object of the resin composition of the present invention, which is designed to be used in the manufacture of molded articles, is to substantially improve impact resistance at low temperatures, while at the same time maintaining good tensile properties, flexural properties, and heat resistance properties. Superior effects provided by the present invention are demonstrated by the experimental procedures and results detailed on pages 10-12 of the specification. As noted above, Ishicawa relates to polyamides, which are produced by polymerizing lactams, omega-aminocarboxylic acids, and salts of diamines and dicarboxylic acids, while the presently claimed invention relates to block copolymers, which contain amide blocks but which also contain polyether blocks. Ishicawa fails to suggest the presently claimed polyether amide block copolymers, and thus Ishicawa fails to establish a *prima facie* case of obviousness with respect to the present invention.

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over Ishicawa in view of US 5,716,696 (Takashige). The rejection is respectfully

traversed. The Examiner alleges that Takashige discloses block copolymers such as those involved in the presently claimed compositions. However, the Examiner fails to explain how persons of ordinary skill in the art would have been motivated to substitute the Takashige block copolymers for the polyamides of Ishicawa. The references as applied fail to establish a *prima facie* case of obviousness with respect to the present invention

Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over US 6,121,384 (Rajagopalan). The rejection is respectfully traversed. The Examiner argues that it would be obvious to add the glycol of Ishicawa to the composition of Rajagopalan to obtain enhanced moldability. However, the secondary reference, Ishicawa, is concerned with the production of fibers, and would not be considered by those of ordinary skill in the art to be relevant to moldability, which is the technology of concern to the primary reference, Rajagopalan. The references as applied fail to establish a *prima facie* case of obviousness with respect to the present invention

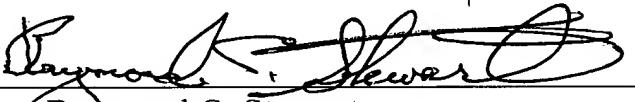
Conclusion

If the Examiner has any questions concerning this application, he is requested to contact Richard Gallagher, Reg. No. 28,781, at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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